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Caesars Palace Corp. and
Caesars Palace Realty Corp.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PHASE II CHIN, LLC and LOVE &
MONEY, LLC, (formerly dba
O.P.M.L.V., LLC,

Plaintiffs,

vs.

FORUM SHOPS, LLC, FORUM
DEVELOPERS LIMITED
PARTNERSHIP, SIMON PROPERTY
GROUP LIMITED PARTNERSHIP,
SIMON PROPERTY GROUP, INC.,
CAESARS PALACE CORP., and
CAESARS PALACE REALTY CORP.,

Defendants.

CASE NO. 2:08-cv-0162-JCM-GWF

**DEFENDANT CAESARS
PALACE CORP.'S ANSWER TO
COMPLAINT**

Defendants Caesars Palace Corp. hereby answers the Complaint as
follows:

1. Caesars Palace Corp. lacks knowledge or information sufficient
to form a belief as to the truth or falsity of the allegations of paragraphs 1 through
6, 9 through 12, 14, 15, 17 through 25, 38, 43 through 49, 52 through 54, 63, 66, 69,
70, 72, 73, 75 through 78, 80 through 83, 85 through 88 and 94 through 96, and
denies the allegations on that basis.

1 2. Caesars Palace Corp. denies the allegations contained in
2 paragraphs 7, 26 through 30, 32 through 37, 39 through 42, 50, 51, 55 through 62,
3 64, 65, 67, 68, 90 through 92, 98, 99, 101 through 104.

4 3. The allegations contained in paragraphs 8 and 13 are not
5 directed to Caesars Palace Corp. and therefore it denies these allegations on that
6 basis.

7 4. Based upon information and belief, Caesars Palace Corp.
8 admits the allegations contained in paragraphs 16.

9 5. Paragraph 31 calls for a legal conclusion and requires no
10 response. To the extent that this paragraph does contain allegations requiring a
11 response, Caesars Palace Corp. denies them.

12 6. Caesars Palace Corp denies paragraphs 71, 74, 79, 84, 89, 93, 97
13 and 100 because they do not require a response, to the extent they do contain
14 allegations requiring a response, Caesars Palace Corp. denies them.

15 7. Caesars Palace Corp. denies all allegations in plaintiff's
16 "Wherefore" clause on pages 25:18 - 26:10.

17 8. Caesars Palace Corp. denies any allegation contained in the
18 complaint that it did not expressly and explicitly admit.

19 ***AFFIRMATIVE DEFENSES***

20 1. Plaintiff's complaint fails to state a claim upon which relief can
21 be granted. Caesars Palace Corp. reserves all rights to assert defamation actions
22 against plaintiffs and plaintiffs' counsel.

23 2. Plaintiffs claims are barred by the applicable statute of
24 limitations.

25 3. Plaintiffs' complaint is barred by the doctrine of unclean hands.

26 4. Plaintiffs claims are barred by the doctrine of laches.

27 5. Plaintiffs claims are barred by the doctrines of estoppel and/or
28 waiver.

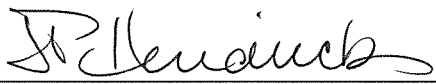
- 1 6. Plaintiffs claims are barred by the absence of privity.
- 2 7. Plaintiffs lack standing to assert the claims they have attempted
- 3 to state.
- 4 8. All actions alleged against Caesars Palace Corp. were taken in
- 5 good-faith in the reasonable belief that they were necessary and lawful.
- 6 9. Plaintiffs claims against Caesars Palace Corp. are barred
- 7 because it has not acted in concert with anyone with the intent to accomplish an
- 8 unlawful objective or in any manner discriminate against Plaintiffs or patrons of
- 9 OPM.
- 10 10. Plaintiffs claims against Caesars Palace Corp. do not arise out of
- 11 or involve an impaired contractual relationship between the Plaintiffs and Caesars
- 12 Palace Corp. that would be required to support an action under 42 U.S.C. § 1981.

13 ***PRAYERS FOR RELIEF***

14 WHEREFORE, Caesars Palace Corp. prays for relief as follows:

- 15 1. That plaintiffs take nothing by way of this complaint.
- 16 2. Any and all other forms of relief that the court deems just and proper.

17 MORRIS PETERSON

18 By: 

19 Steve Morris, Bar No. 1543

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23 Las Vegas, Nevada 89101

24 Attorneys for Defendants

25 Caesars Palace Corp. and

26 Caesars Palace Realty Corp.

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b) and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of Morris Peterson, and that the following documents were served via electronic service:

DEFENDANT CAESARS PALACE CORP.'S ANSWER TO COMPLAINT

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DATED this 31st day of March, 2009.

By: Patricia Camm